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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,876	08/08/2001	Charles E. Bucher	PC-883DIV	3324

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EXAMINER

VERDIER, CHRISTOPHER M

ART UNIT PAPER NUMBER

3745

DATE MAILED: 01/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/924,876

Applicant(s)

BUCHER ET AL.

Examiner

Christopher Verdier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 08 August 2001 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: |

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Receipt and entry of Applicants' Preliminary Amendments dated August 8, 2001 is acknowledged. It is noted that during a telephone interview on January 17, 2003 between the undersigned and Brian Steinberger, Attorney of Record, it was confirmed that the instructions in the Preliminary Amendment dated August 8, 2001 to cancel claims 8-24 were erroneous, and that the instructions should have been to cancel claims 8-19. Therefore, claims 8-19 have been canceled. Claims 1-7 are currently pending. The Proposed Drawing Change dated August 8, 2001 has been approved by the examiner.

Drawings

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "2", "42", "32", and "45". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "115" has been used to designate both the slots and the through holes, and

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because reference character "125" has been used to designate both the end shield and the threaded shaft. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because it is replete with grammatical errors too numerous to mention in all instances. The following are several examples of defects. The specification should be proofread carefully for additional defects. Appropriate correction is required.

On page 1, line 1, the fact that application 09/405,676 matured into U.S. Patent 6,352,411 should be included.

On page 1, line 25, "44" should be changed to -- 45 --.

On page 2, line 6, "42" should be changed to -- 45 --.

On page 3, line 7, "that" should be deleted.

On page 5, line 9, -- a -- should be inserted after "to".

On page 5, line 12, -- and -- should be inserted after "arm,".

On page 6, line 26, "(only one is shown)" is inaccurate and should be deleted.

On page 6, line 26, "115' " should be deleted.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 2 is indefinite because it appears to be a dependent claim, yet does not depend from any claim and is therefore incomplete. Perhaps claim 2 should depend from claim 1. In claim 4, lines 1-2, claim 6, line 2, and claim 7, line 2, "the second end of the mounting arm" is unclear if this refers to the connecting end of the mounting arm recited in claim 1, line 3, or not.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4, and 7 (as far as claims 2, 4, and 7 are definite and assuming claim 2 depends from claim 1) are rejected under 35 U.S.C. 102(e) as being anticipated by Blateri 6,139,276. The effective filing date of the claimed subject matter of the instant application is September 24, 1999. Note the detachable blade arm 22 for a ceiling fan comprising a ceiling fan motor in housing 12 with a rotating member 16/18, with the blade mounting arm 26 having a connecting end 28 connected to the rotating member 16/18, and slide and lock means

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30/18b/44a/44b for attaching the connecting end of the mounting arm to the rotating member, with the slide and lock means allowing the mounting arm to slide onto and lock with the rotating member. The slide and lock means includes a protruding member 30 and a slot 18b. The protruding member is located on the end of the mounting arm and the slot is located on the rotating member 16/18. Note spring means 48 for locking the end of the mounting arm to the rotating member. The recitation in claim 1, lines 4-5 of "slide and lock means for attaching the connecting end of the mounting arm to the rotating member" does not invoke 35 USC 112, sixth paragraph, because it fails to meet the third prong of the analysis set forth in MPEP 2181, in that the phrase "slide and lock means" is sufficient structure that modifies the specified function. The recitation in claim 7, line 2 of "spring means for locking the second end of the mounting arm to the rotating member" invokes 35 USC 112, sixth paragraph. The spring means 48 disclosed by Blateri '276 performs the identical function of locking the end of the mounting arm to the rotating member, no explicit definition in Applicants' specification excludes the spring means 48 of Blateri '276 as an equivalent, and the spring means 48 of Blateri '276 performs the same function in substantially the same way and produces the same result. Therefore, the spring means 48 of Blateri '276 is considered to be an equivalent to Applicants' disclosed spring means 140.

Claims 1-2 and 4 (as far as claims 2 and 4 are definite and assuming claim 2 depends from claim 1) are rejected under 35 U.S.C. 102(e) as being anticipated by Wu 5,980,353 (figures 2-4). The effective filing date of the claimed subject matter of the instant application is September 24, 1999. Note the detachable blade arm 52 for a ceiling fan comprising a ceiling fan

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motor 40 with rotating member 51, with the blade mounting arm 52 having a connecting end 52b connected to the rotating member 51, and slide and lock means 512/52b/54 for attaching the connecting end of the mounting arm to the rotating member, with the slide and lock means allowing the mounting arm to slide onto and lock with the rotating member. The slide and lock means includes a protruding member 52b/54 and a slot 512. The protruding member 52b/54 is located on the end of the mounting arm and the slot 512 is located on the rotating member 51. The recitation in claim 1, lines 4-5 of "slide and lock means for attaching the connecting end of the mounting arm to the rotating member" does not invoke 35 USC 112, sixth paragraph, as set forth above.

Claims 1-3 and 5-7 (as far as claims 2-3 and 5-7 are definite and assuming claim 2 depends from claim 1) are rejected under 35 U.S.C. 102(e) as being anticipated by Wu 5,951,197 (figures 7-9). The effective filing date of the claimed subject matter of the instant application is September 24, 1999. Note the detachable blade arm 40 for a ceiling fan comprising a ceiling fan motor 30 with rotating member 30a, with the blade mounting arm 40 having a connecting end 41 connected to the rotating member 30a, and slide and lock means 34/44/35/45 for attaching the connecting end of the mounting arm to the rotating member 30a, with the slide and lock means allowing the mounting arm to slide onto and lock with the rotating member. The slide and lock means includes a protruding member 35 and a slot 45, which is a keyhole shape. The protruding member 35 is located on the rotating member 30a and the slot 45 is located on the end of the mounting arm. Note deformable means 35 located between the end of the mounting arm and the rotating member. Note spring means 42 for locking the second end of the mounting arm to the

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rotating member 30a. The recitation in claim 1, lines 4-5 of "slide and lock means for attaching the connecting end of the mounting arm to the rotating member" does not invoke 35 USC 112, sixth paragraph, as set forth above. The recitation in claim 6, lines 2-3 of "a deformable means between the second end of the mounting arm and the rotating member for vibration isolation and enhanced fit" invokes 35 USC 112, sixth paragraph. The deformable means 35 disclosed by Wu '197 located between the end of the mounting arm and rotating member is identical to Applicants' disclosed deformable means 130. The recitation in claim 7, line 2 of "spring means for locking the second end of the mounting arm to the rotating member" invokes 35 USC 112, sixth paragraph. The spring means 42 disclosed by Wu '197 performs the identical function of locking the end of the mounting arm to the rotating member, no explicit definition in Applicants' specification excludes the spring means 42 of Wu '197 as an equivalent, and the spring means 42 of Wu '197 performs the same function in substantially the same way and produces the same result. Therefore, the spring means 42 of Wu '197 is considered to be an equivalent to Applicants' disclosed spring means 140.

Claims 1-2 and 4-5 (as far as claims 2 and 4-5 are definite and assuming claim 2 depends from claim 1) are rejected under 35 U.S.C. 102(e) as being anticipated by Wu 5,951,197 (figures 4-6). The effective filing date of the claimed subject matter of the instant application is September 24, 1999. Note the detachable blade arm 40 for a ceiling fan comprising a ceiling fan motor 30 with rotating member 30a, with the blade mounting arm 40 having a connecting end 41 connected to the rotating member 30a, and slide and lock means 411/321/42 for attaching the

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connecting end of the mounting arm to the rotating member 30a, with the slide and lock means allowing the mounting arm to slide onto and lock with the rotating member. The slide and lock means includes a protruding member 411 and a slot 321. The protruding member 411 is located on the end of the mounting arm and the slot 321 is located on the rotating member 30a.

Alternatively, the slide and lock means includes a protruding member (unnumbered, but the upper flange of groove 321) and a slot near 41. The protruding member is located on the rotating member 30a and the slot (near 41) is located on the mounting arm. The recitation in claim 1, lines 4-5 of "slide and lock means for attaching the connecting end of the mounting arm to the rotating member" does not invoke 35 USC 112, sixth paragraph, as set forth above.

Claims 1-2, 5, and 7 (as far as claims 2, 5, and 7 are definite and assuming claim 2 depends from claim 1) are rejected under 35 U.S.C. 102(e) as being anticipated by Tai 6,059,531. The effective filing date of the claimed subject matter of the instant application is September 24, 1999. Note the detachable blade arm 12 for a ceiling fan comprising an unnumbered ceiling fan motor with rotating member 13, with the blade mounting arm 12 having a connecting end 21 connected to the rotating member 13, and slide and lock means 25/40 for attaching the connecting end of the mounting arm to the rotating member, with the slide and lock means allowing the mounting arm to slide onto and lock with the rotating member. The slide and lock means includes a protruding member 40 and a slot 25. The protruding member 40 is located on the rotating member 13 and the slot 25 is located on the mounting arm. Note the spring means 50 for locking the end of the mounting arm to the rotating member 13. The recitation in claim 1, lines 4-5 of "slide and lock means for attaching the connecting end of the

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mounting arm to the rotating member" does not invoke 35 USC 112, sixth paragraph, as set forth above. The recitation in claim 7, line 2 of "spring means for locking the second end of the mounting arm to the rotating member" invokes 35 USC 112, sixth paragraph. The spring means 50 disclosed by Tai '531 performs the identical function of locking the end of the mounting arm to the rotating member, no explicit definition in Applicants' specification excludes the spring means 50 of Tai '531 as an equivalent, and the spring means 50 of Tai '531 performs the same function in substantially the same way and produces the same result. Therefore, the spring means 50 of Tai '531 is considered to be an equivalent to Applicants' disclosed spring means 140.

Claims 1-2 and 4 (as far as claims 2 and 4 are definite and assuming claim 2 depends from claim 1) are rejected under 35 U.S.C. 102(e) as being anticipated by Liao 6,149,388 (figures 7-13). The effective filing date of the claimed subject matter of the instant application is September 24, 1999. Note the detachable blade arm 10 for a ceiling fan comprising a ceiling fan motor 30 with a rotating member 20, with the blade mounting arm 10 having a connecting end near 11 connected to the rotating member 20, and slide and lock means 22/50 for attaching the connecting end of the mounting arm to the rotating member, with the slide and lock means allowing the mounting arm to slide onto and lock with the rotating member. The slide and lock means includes a protruding member 11 and a slot 22. The protruding member 11 is located on the end of the mounting arm and the slot 22 is located on the rotating member. The recitation in claim 1, lines 4-5 of "slide and lock means for attaching the connecting end of the mounting arm to the rotating member" does not invoke 35 USC 112, sixth paragraph, as set forth above.

Claims 1-2 and 5-7 (as far as claims 2 and 5-7 are definite and assuming claim 2 depends from claim 1) are rejected under 35 U.S.C. 102(e) as being anticipated by Wu 5,954,449 (figures 4-6). The effective filing date of the claimed subject matter of the instant application is September 24, 1999. Note the detachable blade arm 40 for a ceiling fan comprising a ceiling fan motor 20 with rotating member 22, with the blade mounting arm 40 having a connecting end 41 connected to the rotating member 22, and slide and lock means 43/30 for attaching the connecting end of the mounting arm to the rotating member 22, with the slide and lock means allowing the mounting arm to slide onto and lock with the rotating member. The slide and lock means includes a protruding member 30 and a slot 43. The protruding member 30 is located on the rotating member 22 and the slot 43 is located on the end of the mounting arm. Note deformable means 30 located between the end of the mounting arm and the rotating member. Note spring means 50/70 for locking the second end of the mounting arm to the rotating member 22. The recitation in claim 1, lines 4-5 of "slide and lock means for attaching the connecting end of the mounting arm to the rotating member" does not invoke 35 USC 112, sixth paragraph, as set forth above. The recitation in claim 6, lines 2-3 of "a deformable means between the second end of the mounting arm and the rotating member for vibration isolation and enhanced fit" invokes 35 USC 112, sixth paragraph. The deformable means 30 disclosed by Wu '449 located between the end of the mounting arm and rotating member is identical to Applicants' disclosed deformable means 130. The recitation in claim 7, line 2 of "spring means for locking the second end of the mounting arm to the rotating member" invokes 35 USC 112, sixth paragraph. The spring means 50/70 disclosed by Wu '449 performs the identical function of locking the end of

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the mounting arm to the rotating member, no explicit definition in Applicants' specification excludes the spring means 50/70 of Wu '449 as an equivalent, and the spring means 50/70 of Wu '449 performs the same function in substantially the same way and produces the same result. Therefore, the spring means 50/70 of Wu '449 is considered to be an equivalent to Applicants' disclosed spring means 140.

Claims 1-2 and 4 (as far as claims 2 and 4 are definite and assuming claim 2 depends from claim 1) are rejected under 35 U.S.C. 102(e) as being anticipated by Blateri 6,155,786. The effective filing date of the claimed subject matter of the instant application is September 24, 1999. Note the detachable blade arm 22 for a ceiling fan comprising a ceiling fan motor in housing 12 with a rotating member 18, with the blade mounting arm 22 having a connecting end near 22b connected to the rotating member 18, and slide and lock means 22b/42b/56 for attaching the connecting end of the mounting arm to the rotating member, with the slide and lock means allowing the mounting arm to slide onto and lock with the rotating member. The slide and lock means includes a protruding member 22b and a slot 42b. The protruding member is located on the end of the mounting arm and the slot is located on the rotating member 18. The recitation in claim 1, lines 4-5 of "slide and lock means for attaching the connecting end of the mounting arm to the rotating member" does not invoke 35 USC 112, sixth paragraph, as set forth above.

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tang 6,382,918 and 6,261,064 is cited to show ceiling fan rotors with keyhole shaped slots formed therein; note that the effective filing date of the instant application is earlier than that of Tang '918 and '064.

Van Meter is cited to show a propeller with a spring biased blade arm lock.

Monrose III is cited to show a ceiling fan with a spring biased blade arm lock.

Stellner is cited to show a propeller with cross-shaped holes that lock blades to blade arms.

Bucher 6,309,183; 6,171,059; 6,336,792; and 6,352,411 are cited as related applications.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Verdier whose telephone number is (703)-308-2638. The examiner can normally be reached on Monday-Friday from 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward K. Look can be reached on (703) 308-1044. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0861.



Christopher Verdier
Primary Examiner
Art Unit 3745

C.V.
January 21, 2003